

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD

Allahabad : Dated this 26th day of April, 2001.

Original Application No.309 of 1998.

CORAM:-

Hon'ble Mr. SKI Naqvi, J.M.

Km. Kanak Bala Roy D/o Late K.C. Roy,
Resident of 69-A, Navab Yusuf Road,
8th Avenue, Railway Colony, Allahabad.

(Sri Satish Dwivedi, Sri A. Dwivedi, Advocates)

. Applicant

Versus

1. Union of India through the General Manager,
Northern Railway, Baroda House, New Delhi.
2. The General Manager, Northern Railway,
Baroda House, New Delhi.
3. The F.A. & C.A.O. Admn., Northern Railway,
Baroda House, New Delhi.
4. The Senior Divisional Accounts Officer,
Northern Railway Divisional Accounts,

(Sri Prashant Mathur, Advocate)

. Respondents

ORDER (O_r_a_l)

By Hon'ble Mr. SKI Naqvi, J.M.

The applicant has come up seeking relief to the effect that the respondents be directed to pass appropriate order regarding engagement of the applicant on the post of Class IV employees as per order dated 5-3-1991 of Senior Divisional Accounts Officer, Northern Railway, Allahabad.

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2. The applicant has a case that she was engaged as substitute Bungalow Peon on 01-7-1989 and worked as such upto 04-3-1991 and thereafter the Senior Divisional Accounts Officer, Northern Railway, Allahabad, issued the direction on 5-3-1991 to Chief Accounts Officer to engage the applicant somewhere else. The applicant contacted the Chief Accounts Officer but of no avail, inspite of repeated verbal assurances. Now she has come up before the Tribunal seeking the above relief.

3. The respondents have contested the case, filed counter reply with the specific mention that the applicant has no case for the relief sought, ~~for~~^{as}. She was only provisionally engaged as casual Bungalow Peon on 5-1-1990 and was attached with the then Senior Divisional Accounts Officer. The applicant was engaged only on casual basis till she performs the duties to the satisfaction of the officer with whom attached and whenever the officer does ~~not find her work satisfactory~~, ^{as that her services are below required the level or} her services were liable to be terminated.

4. Heard learned counsel for the parties and perused the record.

5. It is quite evident from her own pleadings that her service status was only that of substitute Bungalow Peon and was to remain engaged only till the period the officer with whom she was engaged, ^{as requires} ~~is satisfied~~ to retain her as such. The service conditions of the applicant appear^{as} to be like that of "higher and fire" and thereby could not have any lien. Learned counsel for the applicant has laid much emphasis on the letter dated 5-3-1991 through which the Divisional Accounts Officer referred the applicant to the Chief Accounts Officer to engage the applicant somewhere else. It can only be a reference letter without carrying

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any legal sanctity nor it can be termed as official direction.

6. For the reasons stated above, the OA has no merit and is dismissed accordingly. There shall be no order as to costs.

See margin

Member (J)

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